

**United States Court of Appeals
For the First Circuit**

04-10167
USDC/MA
Wolf, M.

MANDATE

No. 05-1505

NATIONAL CASUALTY COMPANY,

Petitioner, Appellant,

v.

FIRST STATE INSURANCE GROUP,

Respondent, Appellee.

JUDGMENT

Entered: December 2, 2005

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts, and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The decision of the district court is affirmed.

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk

George Gherman
Deputy Clerk

Date: 12/23/05

By the Court:

RICHARD CUSHING DONOVAN

Richard Cushing Donovan, Clerk

[cc: Ms. Lisman, Ms. Hartnett, Mr. Gura, Mr. Shah, Mr. Bakal, Mr. Greengrass, Mr. King & Mr. Elcock.]